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C O N F I D E N T I A L JERUSALEM 001413

SIPDIS

NEA FOR FRONT OFFICE. NSC FOR ABRAMS/SINGH/PASCUAL

E.O. 12958: DECL: 08/22/2017

TAGS: KWBG PGOV PREL PTER PHUM KPAL IS

SUBJECT: CONFISCATION ORDERS ISSUED FOR 36 DUNUMS IN JORDAN VALLEY

REF: JERUSALEM 001178

Classified By: Consul General Jake Walles, per reasons 1.4 (b) and (d)

¶11. (C) Summary. Sami Musallam, PA Governor of Tubas, informed PolOff that the IDF confiscated 36.8 dunums of land from Palestinians in the Jordan Valley village of Bardalah. Musallam said the infrastructure for Bardalah crossing (between Israel and the West Bank) is already on the land being confiscated and the confiscation order effectively legalizes it. The landowners intend to refuse compensation and hope that intervention at the political level will restore their land to them. (Note: Copies of Arabic language documents pertaining to the land confiscation are available on the ConGen's classified website at [http://www.state.sgov.gov/p/nea/jerusalem/ind\\_ex.cfm](http://www.state.sgov.gov/p/nea/jerusalem/ind_ex.cfm) by clicking on the link for Political Reporting Attachments. End note.) End Summary.

IDF LAND CONFISCATION SAID TO  
LEGITIMIZE EXISTING CHECKPOINT

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¶12. (C) According to Sami Musallam, the Governor of Tubas in the northern Jordan Valley, the IDF issued a confiscation order for 36.8 dunums (9 acres) of land in Bardalah. He told PolSpec August 4 that the confiscation order cited military purposes for the confiscation and said the land will be used to expand an existing checkpoint between the West Bank and Israel. The order lists the landowners as Sami Sa'id al-Tamimi, Ratib Ahmad Suwafita, and "the sons of Nimr Yusif Suwafita."

¶13. (C) Governor Musallam said that the checkpoint was built in 2000 without confiscating the land and that the new confiscation order legalizes the "de facto" confiscation. Currently the checkpoint consists of four lanes, cement and glass guard booths, and mechanical arms blocking the road, with administrative buildings to the side. According to Musallam, the Israeli Civil Administration invited the Palestinian landowners to tour the area with a GoI official to discuss compensation, but the landowners intend to refuse to avoid legitimizing the confiscation order.

LANDOWNERS: POLITICAL  
CHANNELS MUST RESTORE LAND

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¶14. (C) Musallam said the landowners have no confidence that appealing to Israeli courts will return their land. (Note: According to Abdallah Hamad of the Ramallah-based Jerusalem Legal Aid Center (JLAC), since 1967 the GoI has never accepted an appeal in cases where land was confiscated for military purposes. End Note) Instead, Musallam said, the landowners will take the case to PLO Chief Negotiator Saeb Erekat, PA PM Salam Fayyad and PA President Mahmoud Abbas (Abu Mazen) and ask them to raise it at the political level.

Musallam argues that this issue should be addressed in the context of permanent status negotiations on borders.

WALLES